



General Assembly

February Session, 2002

Amendment

LCO No. 5557

SB0015405557HD0

Offered by:

REP. ALTOBELLO, 82nd Dist.

REP. GIANNAROS, 21st Dist.

REP. DELGOBBO, 70th Dist.

To: Subst. Senate Bill No. 154

File No. 195

Cal. No. 495

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING REDUCTION OF STATE AND LOCAL
ENERGY COSTS."**

1 After the last section, insert the following:

2 "Sec. 2. Subdivision (6) of section 16-19m of the general statutes, as
3 amended by section 122 of public act 01-195, is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (6) "Electric utility" means (A) any [domestic electric company, as
6 defined in section 16-246a] electric company organized under the laws
7 of this state, (B) any [foreign electric company, as defined in said
8 section] corporation, company, association, joint stock association or
9 trust organized under the laws of a state other than this state, as well
10 as, a town, city, borough, or any municipal corporation, department or
11 agency thereof, whether separately incorporated or not, of a state other

12 than this state, authorized under the laws of the state in which
13 organized to generate or transmit electric energy, (C) any municipal
14 electric utility organized under chapter 101, and (D) any municipal
15 electric energy cooperative organized under chapter 101a.

16 Sec. 3. Section 16-19w of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective from passage*):

18 The Department of Public Utility Control shall not allow any public
19 service company, as defined in section 16-1, as amended, (1) to charge
20 rates which include costs which are associated with the construction of
21 the Seabrook 2 nuclear power generating facility and incurred after
22 July 1, 1984, or (2) to reduce the savings to customers of the public
23 service company from any other generating facility by allocating a
24 portion of such savings to [a foreign electric company] an out-of-state
25 electric company, as described in subparagraph (B) of subdivision (6)
26 of section 16-19m, as amended by this act, for payment of any costs
27 which are associated with the construction of the Seabrook 2 nuclear
28 power generating facility and attributable to the foreign electric
29 company's ownership share of such facility.

30 Sec. 4. Section 16-246f of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective from passage*):

32 (a) As used in this section:

33 (1) "Assistance" means any aid or support provided, or any actions
34 taken by a domestic electric company for or on behalf of another
35 domestic electric company or by [a foreign] an out-of-state electric
36 company for or on behalf of a domestic electric company including,
37 without limitation, the temporary transfer or use of repair personnel
38 and equipment;

39 (2) "Domestic electric company" means any electric company or
40 electric distribution company, as defined in section 16-1, as amended,
41 any membership electric cooperative organized under chapter 597 and
42 any municipal electric utility or municipal electric energy cooperative,

43 as defined respectively in section 7-233b, which has been chartered by
44 or organized or constituted within or under the laws of this state;

45 [(3) "Foreign electric company" shall have the same meaning as
46 provided in section 16-246a.]

47 (3) "Out-of-state electric company" means a corporation, company,
48 association, joint stock association or trust organized under the laws of
49 a state other than this state, as well as, a town, city, borough, or any
50 municipal corporation, department or agency thereof, whether
51 separately incorporated or not, of a state other than this state,
52 authorized under the laws of the state in which organized to generate
53 or transmit electric energy.

54 (b) Notwithstanding any contrary provision of any general statute
55 or special act, or any limitation imposed by its charter, a domestic
56 electric company shall have the power to request assistance from and
57 provide assistance to other domestic electric companies and to
58 [foreign] out-of-state electric companies and to enter into agreements
59 regarding the reimbursement of expenses and other matters and to
60 perform such other acts as may be necessary or desirable to request
61 and provide such assistance. A domestic electric company shall not be
62 exempt from nor forfeit the benefits of the provisions of any applicable
63 laws solely by requesting or providing such assistance, except as
64 provided in this section.

65 (c) Notwithstanding any contrary provision of any general statute
66 or special act, [a foreign] an out-of-state electric company shall have
67 the right to request assistance from and provide assistance to domestic
68 electric companies and to enter into agreements regarding the
69 reimbursement of expenses and other matters and to perform such
70 other acts as may be necessary or desirable to request and provide
71 such assistance. [A foreign electric company] An out-of-state electric
72 company shall not constitute an "electric company" or a "public service
73 company" for the purposes of this title solely by requesting or
74 providing assistance in this state.

75 Sec. 5. Section 16a-21 of the general statutes, as amended by section
76 14 of public act 01-9 of the June special session, is repealed and the
77 following is substituted in lieu thereof (*Effective from passage*):

78 (a) No person, firm or corporation shall sell at retail [fuel oil or]
79 propane gas to be used for residential heating via a bulk delivery
80 vehicle having a fuel capacity of not more than five thousand gallons
81 or retail fuel oil to be used for residential heating without placing the
82 unit price, clearly indicated as such, the total number of units sold and
83 the amount of any delivery surcharge in a conspicuous place on the
84 delivery ticket given to the purchaser or an agent of the purchaser at
85 the time of delivery. No person, firm or corporation may bill or
86 otherwise attempt to collect from any purchaser of fuel oil or propane
87 gas an amount which exceeds the unit price multiplied by the total
88 number of units stated on the delivery ticket, plus the amount of any
89 delivery surcharge stated on the ticket. For the purpose of this section,
90 unit price means the price per gallon computed to the nearest tenth of
91 a whole cent.

92 (b) Any person, firm or corporation who violates subsection (a) of
93 this section shall be fined not more than one hundred dollars for the
94 first offense [nor] or more than five hundred dollars for each
95 subsequent offense.

96 Sec. 6. Section 16-19e of the general statutes is amended by adding
97 subsection (g) as follows (*Effective from passage*):

98 (NEW) (g) The department shall, upon application or upon its own
99 motion, modify a rate plan for any gas or electric public service
100 company that has (1) as part of its existing rate plan, an earnings
101 sharing mechanism, and (2) has personal property, the value of which
102 is established, that increased or decreased in any municipality due to a
103 change in the valuation methodology used by said municipality for the
104 purpose of assessment of municipal property taxes. Such modification
105 shall increase or decrease revenue requirements in an amount
106 necessary to reflect the amount of increase or decrease in property

107 taxes and, in the case of an increase, to reflect no more than the amount
108 of increase that is the result of valuation of said property at its net book
109 value. Where the valuation of the property for tax purposes exceeds
110 net book value, the department may only increase revenue
111 requirements necessary to reflect the amount of taxes that results from
112 the higher than net book valuation after a final judgment from a
113 Superior Court that determines the market value of such property or
114 upon the approval by the department of a settlement that the
115 department determines is in the interest of the company and its
116 customers.

117 Sec. 7. Subsection (a) of section 16-258a of the general statutes, as
118 amended by section 10 of public act 01-49, is repealed and the
119 following is substituted in lieu thereof (*Effective from passage*):

120 (a) Each person that sells natural gas to an end user in the state and
121 is not (1) a gas company, as defined in section 16-1, as amended, (2) a
122 municipal gas utility established under chapter 101 or any other gas
123 utility owned, leased, maintained, operated, managed or controlled by
124 any unit of local government under any general statute or any public
125 or special act, [or] (3) a gas pipeline or gas transmission company
126 subject to the provisions of chapter 208, or (4) an entity that sells
127 natural gas in this state only for use by an electric generation facility
128 subject to registration with the department pursuant to section 16-
129 258b, shall register with the Department of Public Utility Control prior
130 to making any such sale by filing a form supplied by said department.

131 Sec. 8. Subsection (b) of section 16-247p of the general statutes is
132 repealed and the following is substituted in lieu thereof (*Effective from*
133 *passage*):

134 (b) Not later than [April 1, 2000] December 1, 2002, the department
135 shall, by regulations adopted pursuant to chapter 54, establish
136 comprehensive performance standards and performance based
137 reporting requirements for functions provided by a telephone
138 company to a certified telecommunications provider, including, but

139 not limited to, telephone company performance relating to customer
140 ordering, preordering, provisioning, billing, maintenance and repair.
141 Such service standards shall be sufficiently comprehensive to ensure
142 that a telephone company meets its obligations under 47 USC 251.
143 Such regulations may also contain provisions the department deems
144 necessary to prevent anticompetitive actions by any telephone
145 company or certified telecommunications provider.

146 Sec. 9. (*Effective from passage*) Sections 16-246a to 16-246d, inclusive,
147 of the general statutes are repealed."